United Nations A/AC.109/2008/SR.5

General Assembly

Distr.: General
30 July 2008

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 5th meeting
Held at Headquarters, New York, on Monday, 9 June 2008, at 3 p.m.

Chairman: Mr. Natalegawa ..... (Indonesia)

Contents

Adoption of the agenda

Special Committee decision of 14 June 2007 concerning Puerto Rico

Hearing of petitioners

This record is subject to correction. Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

08-37233 (E)

The meeting was called to order at 3.10 p.m.

Adoption of the agenda

1. *The agenda was adopted.*

Special Committee decision of 14 June 2007 concerning Puerto Rico (*continued*) (A/AC.109/2008/L.3 and L.7)

Hearing of petitioners (*continued*) (Aide-mémoire 04/08 and Add.1)

2. *At the invitation of the Chairman, Mr. Limeres (Comité Pro Independencia de Puerto Rico de Connecticut) took a place at the petitioners' table.*

3. **Mr. Limeres** (Comité Pro Independencia de Puerto Rico de Connecticut) said that colonialism had driven thousands of Puerto Ricans into exile. Thousands more continued to leave, owing to the deteriorating economy and increased violence. The Government appeared to be more interested in facilitating corruption than in defending the people.

4. The Puerto Ricans had a history of being deceived by imperialists and even their own governors. In 1952, under the leadership of Luis Muñoz Marín, they had been tricked into believing that their "new relationship" with the United States would allow them greater freedom. Sadly, it appeared that history might repeat itself: the current Governor of Puerto Rico spoke of "sovereignty"; however, his concept of sovereignty was somewhat unique.

5. He trusted that neither the Puerto Rican people nor the United Nations would allow themselves to be deceived once again by parties whose interests did not coincide with the best interests of the people of Puerto Rico.

6. *Mr. Limeres withdrew.*

7. *At the invitation of the Chairman, Ms. Reverón-Collazo (Comité Puerto Rico en las Naciones Unidas (COPRONU)) took a place at the petitioners' table.*

8. **Ms. Reverón-Collazo** (Comité Puerto Rico en las Naciones Unidas (COPRONU)), recalled that, in its resolution 1654 (XVI), the General Assembly had requested the Special Committee to take action without further delay with a view to the faithful application and implementation of the Declaration contained in General Assembly resolution 1514 (XV). Resolution 1654 (XVI) also stated that "armed action and repressive measures continued to be taken in certain areas ... against dependent peoples". Puerto Rico had suffered all manner of repressive measures, from the imprisonment of nationalist leaders in the 1930s to the more recent harassment of independence fighters and their families by the Federal Bureau of Investigation (FBI) and the Puerto Rican police.

9. Although the issue of Puerto Rico's political status had undermined national unity, the people agreed on fundamental issues such as the release of political prisoners; the withdrawal of the United States Navy from Vieques; the need to defend the Spanish language and Puerto Rican culture; opposition to the death penalty; and the need to establish a local Constitutional Assembly on Status as part of the decolonization process.

10. In proclaiming itself the "owner" of Puerto Rico's sovereignty, the United States had acknowledged that Puerto Rico was indeed a colony. Despite the 25 resolutions adopted by the Special Committee, the United States continued to challenge United Nations jurisdiction over the colonial case of Puerto Rico. Certain pro-imperialist publications asserted that the United States had only two colonies, i.e. Guam and Micronesia. The people of Puerto Rico urged the Special Committee to put an end to that "disinformation campaign".

11. The fact that Puerto Rico was not on the list of Non-Self-Governing Territories was irrelevant. The Special Committee adopted resolutions on Puerto Rico because its mandate under General Assembly resolution 1514 (XV) extended beyond the list of Non-Self-Governing Territories to include "territories which had not yet attained independence".

12. *Ms. Reverón-Collazo withdrew.*

13. *At the invitation of the Chairman, Mr. Rosario (Colectivo Puertorriqueño Pro Independencia) took a place at the petitioners' table.*

14. **Mr. Rosario** (Colectivo Puertorriqueño Pro Independencia) said that independence was the only solution to the country's degrading situation. He warned against the enhanced Commonwealth status advocated by the Popular Democratic Party of Puerto Rico, whose plotting with the United States Government in the 1950s had sealed Puerto Rico's fate as a colony. The Puerto Rican people and the

United Nations must not allow themselves to be deceived by enemies masquerading as friends.

15. He requested the Special Committee to declare Puerto Rico a colony of the United States and to bring the case before the General Assembly without delay. For its part, the international community must recognize Puerto Rico's inalienable right to sovereignty and urge the United States to put an end to its illegal occupation.

16. *Mr. Rosario withdrew.*

17. *At the invitation of the Chairman, Mr. Figueroa García (Puertorriqueños Por Puerto Rico) took a place at the petitioners' table.*

18. **Mr. Figueroa García** (Puertorriqueños Por Puerto Rico) said that his was a new political party, which had been officially recognized in May 2007. Its membership included persons who advocated association with the United States; persons who held that Puerto Rico should become a State of the United States of America; and persons who advocated independence.

19. However, it was the people of Puerto Rico, not the political parties, who must decide on the country's status and initiate the self-determination process, based on previously adopted United Nations resolutions. The first step was to educate the population about the different options and their effects on citizenship, culture, the legal system, human rights, social security and so forth. The process must be carried out with impartiality and must include all social sectors and political preferences.

20. He therefore asked the Special Committee, the General Assembly and the Government of the United States to facilitate a self-determination process that would allow the Puerto Rican people to decide their political status, free of interference from political parties, in accordance with the applicable laws, and to cooperate on the implementation of that process.

21. *Mr. Figueroa García withdrew.*

22. *At the invitation of the Chairman, Mr. Pesquera-Sevillano (Movimiento Independentista Nacional Hostosiano) took a place at the petitioners' table.*

23. **Mr. Pesquera-Sevillano** (Movimiento Independentista Nacional Hostosiano) said that the United States Government had increased its persecution of the pro-independence movement over the previous year. It continued to disregard the Puerto Rican judicial system and had refused to cooperate in the investigation into the assassination of independence fighter Filiberto Ojeda Ríos. United States federal agencies interfered in every aspect of daily life, from the least significant, such as establishing the price of milk, and going so far as trying to interfere in the country's electoral process.

24. The fact that the United States Congress was currently considering legislation on Puerto Rico did not mean that it was genuinely attempting to find a solution; it was simply another of Washington's ploys to prevent the General Assembly from considering the case of Puerto Rico as a separate item.

25. Noting that an exceptionally wide range of petitioners had come to address the current session of the Special Committee, he urged the Committee to become more proactive. The case of Puerto Rico provided an excellent opportunity for the United Nations to reaffirm its role in promoting peace and justice in the world. Indeed, the United Nations had an obligation to take a stand in that unequal battle.

26. *Mr. Pesquera-Sevillano withdrew.*

27. *At the invitation of the Chairman, Ms. Delgado Valentín (La Nueva Escuela) took a place at the petitioners' table.*

28. **Ms. Delgado Valentín** (La Nueva Escuela) said that her organization had been founded for the purpose of directly educating the Puerto Rican people about its current status as a colony of the United States of America. It worked with traditionally marginalized communities to discuss with them the viability of Puerto Rican independence.

29. Her people's rights had been violated for over a century by an evil empire that used various tactics, including open violence and aggression, against anyone who sought to end Puerto Rico's colonial status. After describing the various tactics used by the FBI and the United States Counterintelligence Programme (COINTELPRO) against members of her organization, ranging from murder to repeated subpoenas to appear before a federal grand jury, she called on the Special Committee to visit Puerto Rico in order to investigate violations of human rights and international law committed by the FBI and other federal agencies; condemn the presence in Puerto Rico of such agencies that sought to undermine that nation's

efforts to exercise its right of self-determination; to urge the General Assembly to include Puerto Rico in the list of Non-Self-Governing Territories and, lastly, to demand the release of all Puerto Rican political prisoners currently held in the United States.

30. *Ms. Delgado Valentín withdrew.*

31. *At the invitation of the Chairman, Mr. Martín (Partido Independentista Puertorriqueno) took a place at the petitioners' table.*

32. **Mr. Martín** (Partido Independentista Puertorriqueño) said that he was also representing the Socialist International, to which the Puerto Rican Independence Party had been admitted at the height of the cold war, notwithstanding the opposition of the United States of America. After recounting the history of how it had been admitted — a history which had many parallels with the long history and current status of the consideration of the decolonization of Puerto Rico at the United Nations — he said that the time was coming when Puerto Rico would achieve full decolonization and independence, with the enthusiastic support of its people.

33. *Mr. Martín withdrew.*

34. *At the invitation of the Chairman, Mr. Borja (Comité Permanente Latinoamericano de Apoyo a la independencia de Puerto Rico) took a place at the petitioners' table.*

35. **Mr. Borja** (Comité Permanente Latinoamericano de Apoyo a la independencia de Puerto Rico) recalling how the major geopolitical, scientific and technological events of the past two decades — including the end of the Soviet Union, the end of the cold war and the digital revolution — had changed the course of history, said that, the political and legal status of Puerto Rico was an anachronism left over from the nineteenth century. Although the commonwealth status approved by the General Assembly in 1953 had represented an improvement at the time it was no longer compatible with the present-day world. Therefore, he joined in expressing support for draft resolution in before the Committee.

36. *Mr. Borja withdrew.*

37. *At the invitation of the Chairman, Mr. Misla Grillasca (Young Professionals for Puerto Rico Democracy) took a place at the petitioners' table.*

38. **Mr. Misla Grillasca** (Young Professionals for Puerto Rico Democracy) referred to the Government of Puerto Rico's recent statement that if Puerto Rico continued to be a mere territory of the United States — as noted in the report of the President's Task Force on Puerto Rico's Status — then the declaration made in 1953 to the effect that the island had attained a full measure of self-government constituted a monumental hoax. In fact, there had been no hoax for the process established in 1953 had not substantially changed the legal status of Puerto Rico.

39. Puerto Rico was in fact an organized territory as defined by the United States Constitution, Congress having delegated the administration of internal affairs. United States law provided for only two types of arrangement: integration as a state or territorial status under United States sovereignty. The status of free associated state existed only for independent nations that had negotiated a treaty with the United States; that a situation that did not apply to Puerto Rico. From the inception, commonwealth status had been nothing more than the previous territorial status but internally organized under a local constitution drafted by the people of Puerto Rico under the guidelines established by Congress.

40. The framework proposed in the report of the President's Task Force on Puerto Rico's Status was therefore the right one. The process would start with a federally sanctioned referendum, giving the people of Puerto Rico the choice between territorial and non-territorial status. If the latter option was chosen, then there would be another process where the people would choose between full statehood within the United States and independence.

41. *Mr. Misla Grillasca withdrew.*

42. *At the invitation of the Chairman, Mr. Rivera (Puertorriqueños Unidos en Acción) took a place at the petitioners' table.*

43. **Mr. Rivera** (Puertorriqueños Unidos en Acción), noting that federal authorities had brought charges against the Governor for allegedly violating federal laws limiting campaign contributions, said that it constituted interference in the upcoming elections. The manipulation and violation of electoral processes was a familiar tactic used by the United States Government, which had intervened to replace Governments in various countries in Central and South America.

44. Any decolonization process must include the liberation of political prisoners, who were serving disproportionate sentences in United States prisons and were being subjected to psychological pressure and physical abuse. It was also essential to take into account the over 4 million Puerto Ricans resident in the United States, who sent over $1 billion per year in remittances to Puerto Rico. They should be allowed, through a constitutional assembly, to participate in the process of self-determination. In order for that process to take place in accordance with General Assembly resolution 1514 (XV), the question of Puerto Rico should be referred to the General Assembly.

45. *Mr. Rivera withdrew.*

46. *At the invitation of the Chairman, Mr. Velgara (Vieques Support Campaign) took a place at the petitioners' table.*

47. **Mr. Velgara** (Vieques Support Campaign) said that on 6 June 2008, the United States Navy had carried out open-air detonations on the island of Vieques, releasing scores of toxins into the air. The closure of the Navy's bombing range in 2003 had not led to any significant clean-up operations. The company contracted by the Navy for that task, had mendaciously claimed that the bombs being detonated in Vieques could not be exploded in a controlled detonation chamber because the model it produced was too small for the type of bombs found in Vieques. The Navy was, moreover, seeking authorization to burn all forms of vegetation on the island in order to locate unexploded bombs; that would further spread contaminants to a local population that was already suffering high levels of asthma and other respiratory diseases.

48. The economic crisis on Vieques was being aggravated by United States developers, who were coercing the owners of local businesses to sell to foreign investors. Plans to privatize ferry links between Vieques and the main island would put further pressure on locals. It was essential therefore that the case for Puerto Rico's decolonization be brought before the General Assembly.

49. *Mr. Velgara withdrew.*

50. *At the invitation of the Chairman, Mr. Pereira (Partido dos Trabalhadores do Brasil) took a place at the petitioners' table.*

51. **Mr. Pereira** (Partido dos Trabalhadores do Brasil), speaking also on behalf of the Forum of São Paulo, said that the balance of power in the region was shifting: nearly all the countries of Central and Latin America had rejected neo-liberal policies in favour of elected left-wing and progressive Governments.

52. Stressing the right of Puerto Rico to establish a constitutional assembly status that would discuss how to more forward, he expressed support for the independence struggle of Puerto Rico, and the release of Puerto Rican political prisoners in the United States, and called for the case of Puerto Rico to be referred to the General Assembly.

53. *Mr. Pereira withdrew.*

54. *At the invitation of the Chairman, Mr. Ramos Rosado (ProLibertad Freedom Campaign) took a place at the petitioners' table.*

55. **Mr. Ramos Rosado** (ProLibertad Freedom Campaign) said that the imprisonment of the Puerto Rican political prisoners for their political convictions and activities for Puerto Rican independence and self-determination was an international human rights violation and an act of repression against the struggle for Puerto Rican independence. The Special Committee had made history with its groundbreaking cry against colonialism, but the United States had not acted upon any of its recommendations.

56. Before their incarceration, the Puerto Rican political prisoners had been involved in social justice issues throughout their communities and had fought for civil rights. They had found Puerto Rico's colonial reality to be intolerable and unacceptable, which had led them to join the Puerto Rican independence movement and to confront the United States Government, which was their right as stipulated in the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples. When they had been captured in April 1980, they had invoked prisoner of war status and argued that the United States courts did not have jurisdiction to try them as criminals. The United States Government had not accepted that argument and had tried them. Their sentences had been punitive and excessive. None of them had prior criminal records, nor had they been charged with any violent acts, and yet they had been given sentences 19 times longer than the average sentence given out the year of their arrest. Those excessive sentences made it clear that the goal was to

punish them for their political beliefs. While in prison they had been beaten, raped, denied medical treatment, placed in solitary confinement and denied visitation by family and legal counsel, in violation of international norms prohibiting discriminatory treatment of prisoners by prison personnel based on their political beliefs or opinions. They were not the terrorists the United States Government had portrayed them to be; they were revolutionaries and freedom fighters in the tradition of George Washington and Nelson Mandela. Many distinguished individuals had called for their freedom, including former United States President Jimmy Carter.

57. The United States of America considered itself a champion of international human rights, often condemning other countries for their international human rights violations, yet the colonial reality of Puerto Rico and the incarceration of political prisoners were all international human rights violations which the United States had done nothing to rectify. ProLibertad urged the United Nations to take immediate action to end the colonial occupation of Puerto Rico, and called for the demands of the people of Vieques to be met and for all the Puerto Rican political prisoners to be released unconditionally. The time had come for the issue to be brought to the General Assembly of the United Nations. It was time for independence and self-determination, not a modified form of colonialism.

58. *Mr. Ramos Rosado withdrew.*

59. *At the invitation of the Chairman, Ms. Pérez (Comité de Apoyo a la Federación de Maestros de Puerto Rico) took a place at the petitioners' table.*

60. **Ms. Pérez** (Comité de Apoyo a la Federación de Maestros de Puerto Rico) noted that the current Governor's anti-worker policies allowed no freedom for workers to organize without interference from anti-worker federal laws. In fact, the Governments of Puerto Rico and the United States of America were fostering corporate unionism as a bourgeois instrument to set back the struggle of the Puerto Rican working class and to guarantee their own hegemony.

61. For more than two years, the Government of Puerto Rico had refused to negotiate a fair collective agreement with the Federación de Maestros de Puerto Rico and had stepped up a repressive campaign involving the arbitrary dismissal of dozens of teachers and the violation of various labour laws and regulations, including the International Labour Organization Declaration on Fundamental Principles and Rights at Work. The teachers had responded by going on strike, however, the Government, with the support of corporate trade unions from the United States, had swiftly imposed an economic stranglehold on the Federación to put an end to the strike.

62. The purpose of education was to teach people how to govern themselves. However, the United States imperialist companies and the Government of Puerto Rico, wanted them to remain ignorant. The entire educational system of Puerto Rico must therefore reaffirm the right to self-determination, in accordance with paragraph 2 of General Assembly resolution 1514 (XV). Free and excellent education in Puerto Rico required a sovereign Puerto Rico free from interference by foreign trade unions seeking to impose colonial trade unionism.

63. *Ms. Pérez withdrew.*

64. *At the invitation of the Chairman, Mr. Torres (Hostos Grand Jury Resistance Campaign) took a place at the petitioners' table.*

65. **Mr. Torres** (Hostos Grand Jury Resistance Campaign), noting that grand juries were secret procedures where the normal rules of evidence and concepts such as impartiality and due process did not apply, said that whereas persons called to testify before grand juries were not permitted legal assistance or allowed to interrogate Government witnesses, the members of grand juries were often selected by prosecutors, who often favoured persons who were easily swayed by their arguments.

66. In that context, the threat of prosecution by grand jury was being used by the Government of the United States to intimidate supporters of Puerto Rican independence, including himself and other members of the Hostos Grand Jury Resistance Campaign. However, they would not give into such intimidation and would continue to reserve their inalienable right not to collaborate with the Government of the United States of America and to seek independence for Puerto Rico.

67. *Mr. Torres withdrew.*

68. *At the invitation of the Chairman, Mr. Aponte-Hernández (Speaker of the House of Representatives of Puerto Rico) took a place at the petitioners' table.*

69. **Mr. Aponte-Hernández** (Speaker of the House of Representatives of Puerto Rico), reviewing some recent events recalled that, in March 2005, an historic draft consensus agreement had been reached in which all three political parties had made concessions for the sake of furthering decolonization. However, to everyone's surprise, at the last minute the Governor had vetoed that agreement.

70. Promising developments had taken place in Washington over the past two years, particularly the submission of two reports by the President's Task Force on Puerto Rico's Status, which reflected the policy of the Government of the United States in that regard. Both reports had proposed a legislative process in the United States Congress that would be entirely consonant with the requirements of international law and would provide for self-determination and decolonization for Puerto Rico. Furthermore, both reports had clearly stated the need to provide the Puerto Rican people with options that would resolve the problem of the political status of Puerto Rico while being based entirely on the right of the Puerto Rican people to enjoy full self-government.

71. The United States Congress had established various follow-up measures to promote the legitimate right of the people of Puerto Rico to self-determination. However, the status of Puerto Rico would not be resolved until Congress recognized the need to act in a proactive manner by providing clarity on the various options available.

72. Puerto Rico differed from most other Non-Self-Governing Territories in terms of the level of its internal governance and civil liberties. Despite claims to the contrary by the current Governor and the Popular Democratic Party, the establishment of a constitutional regime in 1952 had been a significant step towards self-determination though it had not affected the sovereignty of the United States of America over Puerto Rico.

73. The role of the Special Committee in overseeing the decolonization of Puerto Rico had been limited following the adoption of General Assembly resolution 748 (VIII). Since that resolution was still in effect, only the United States of America could provide a solution to the political status of Puerto Rico. However, the Special Committee could follow up and endorse the efforts of the Federal Government with a view to helping the people of Puerto Rico fully exercise their inherent right to self-determination.

74. *Mr. Aponte-Hernández withdrew.*

75. *At the invitation of the Chairman, Ms. Rexach (National Advancement for Puerto Rican Culture) took a place at the petitioners' table.*

76. **Ms. Rexach** (National Advancement for Puerto Rican Culture) said that the Special Committee should focus on ensuring that Puerto Ricans were guaranteed the same legal and moral rights as other United States citizens. In 1917, the United States Congress had given Puerto Ricans United States citizenship but not the right to participate in presidential elections or to have representation in the Congress or the Senate. However, Puerto Ricans had worked alongside other United States citizens in all aspects of life for over a century, even giving their lives to defend their country. The vast majority of Puerto Ricans wanted Puerto Rico to become the official fifty-first state of the United States so that their full rights as United States citizens would be secured under the Constitution of the United States. The denial of that fact by the current Governor of Puerto Rico and others was a deliberate attempt to mislead the people of the United States.

77. *Ms. Rexach withdrew.*

78. *At the invitation of the Chairman, Mr. Adames (Centro Literario Anacaona) took a place at the petitioners' table.*

79. **Mr. Adames** (Centro Literario Anacaona), recalling the history of discrimination to which Puerto Ricans had been subjected for over 100 years, said that it explained why Puerto Rico had not become the fifty-first state of the United States. Independence had repeatedly been rejected as an option by the Puerto Rican people. A catastrophe would be inevitable if Puerto Rico were ever to achieve independence, since most of its major corporations would become bankrupt because they would have to pay higher taxes; thousands would lose their jobs. The Committee should therefore adopt a resolution calling on the United States Congress to declare Puerto Rico the fifty-first state of the United States, with all the rights and privileges of the other states of the Union.

80. *Mr. Adames withdrew.*

81. *At the invitation of the Chairman, Mr. Feliz (Ministerio Latino) took a place at the petitioners' table.*

82. **Mr. Feliz** (Ministerio Latino), recalling the events that had led to the proclamation of the Commonwealth of Puerto Rico, noted that, while calls for independence were a natural consequence of the desire to overcome perceived oppression, it was important to understand what independence for Puerto Rico would entail. The Commonwealth had afforded Puerto Rico greater economic stability and technological development than many other Spanish-speaking countries in the region. Accordingly Puerto Rican leaders must think carefully before taking any decision. At the same time, he stressed that individual rights must be respected and that all nations must be allowed to enjoy their own individual rights without interference.

83. *Mr. Feliz withdrew.*

Draft resolution A/AC.109/2008/L.7 (continued)

84. **Ms. Espinosa** (Observer for Ecuador) said that her delegation supported the growing consensus in favour of the draft resolution, based on international law and the Declaration on the Granting of Independence to Colonial Countries and Peoples, which fully applied to the case of Puerto Rico. As a Latin American and Caribbean nation with its own national identity, Puerto Rico should become a full member of the international community.

85. **Mr. Siles Alvarado** (Bolivia) said that the situation of the Puerto Rican people was totally incomprehensible. The United States of America had waged war purportedly to spread democracy, yet would not allow it for the people of Puerto Rico. He appealed to all members of the Special Committee and the General Assembly to adopt the draft resolution so as to ensure that Puerto Rico could decide its own future.

86. **Mr. Hermida Castillo** (Observer for Nicaragua) said that his country strongly defended the right to self-determination and independence. The nation of Puerto Rico had shown extraordinary perseverance in fighting for that right. The withdrawal of the United States Navy from Vieques after 60 years of occupation was a result of the efforts of the people of Vieques themselves, with the support of the international community.

87. Under very difficult conditions, the Puerto Rican people had maintained their national identity, and would have much to contribute to the community of nations. The integration of the Latin American and Caribbean region would remain incomplete until such time as Puerto Rico was granted full sovereignty.

88. **Mr. Arias** (Observer for Panama) said that the question of Puerto Rico should not continue to be subjected to the rhetoric of an earlier era. Panama itself was a good example of how a situation of colonialism could be resolved amicably when both parties agreed on a timetable for decolonization. A consensus seemed to be emerging on the need to include the question of Puerto Rico in the agenda of the General Assembly. His delegation fully supported the adoption of the draft resolution and hoped that it would lead to a lasting solution to the problem.

89. **Ms. Rodriguez de Ortiz** (Bolivarian Republic of Venezuela), noting that her Government's position on the decolonization of Puerto Rico remained unchanged, called on the Government of the United States of America to renounce its political, economic and social domination of that country and to allow it to choose its own destiny. Finally, she urged the Special Committee to adopt the resolution before it by consensus.

90. **Mr. Gregoire** (Dominica), speaking on behalf of the Movement of Non-Aligned Countries, said that the Movement of Non-Aligned Countries reaffirmed its position on the question of Puerto Rico, as contained in the Final Document of the 2006 Conference of Heads of State and Government. Welcoming the growing consensus within the Special Committee on the question, he called on the Government of the United States of America to expedite a process that would allow the Puerto Rican people fully to exercise their inalienable right to self-determination and independence. Finally, he expressed the hope that the draft resolution would be adopted by consensus.

91. **Mr. Taleb** (Syrian Arab Republic), noting that the people of Puerto Rico had struggled for many years to gain the right to self-determination, called upon the United States to face its responsibilities in that regard. His delegation supported the final document adopted at the 14th Summit Conference of Heads of State and Government of the Non-Aligned Countries in September 2006 in Havana, and hoped that the draft resolution before the Committee would be adopted by consensus.

92. **Mr. Hosseini** (Islamic Republic of Iran) associated himself with the statement made by the representative of Dominica on behalf of the Non-Aligned Movement, and expressed the hope that the Committee's deliberations would result in a process enabling the people of Puerto Rico to fully exercise their right to self-determination.

93. **Mr. Gonsalves** (Saint Vincent and the Grenadines) said that his delegation wished to associate itself fully with the statement made by the representative of Dominica on behalf of the Non-Aligned Movement.

94. The United States had a responsibility firstly to organize the safe, effective and environmentally friendly clean-up of Vieques Island, and secondly to expedite the process by which all Puerto Ricans, regardless of political alignment, could determine their own future. His delegation supported the adoption of the draft resolution by consensus.

95. *Draft resolution A/AC.109/2008/L.7 was adopted.*

96. **Mr. Malmierca Díaz** (Cuba), explaining his delegation's position, said that Cuba was pleased that the draft resolution had been adopted by consensus for the ninth consecutive year. The resolution had a special meaning for his delegation because the Cuban and Puerto Rican struggles for independence had been inextricably linked from the start, beginning in the late 1800s, and because both countries had faced invasion by a common enemy. Cuba would continue to defend the legitimate right of the Puerto Rican people to self-determination and independence to the very end.

The meeting rose at 6.20 p.m.

United Nations A/AC.109/2008/SR.6

General Assembly

Distr.: General
1 July 2008

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 6th meeting
Held at Headquarters, New York, on Wednesday, 11 June 2008, at 10 a.m.

Chairman: Mr. Natalegawa ..... (Indonesia)

Contents

Adoption of the agenda

Requests for hearings

Question of Western Sahara

Hearing of petitioners

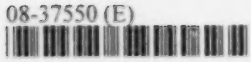
Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands

Hearing of petitioners

This record is subject to correction. Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

08-37550 (E)



The meeting was called to order at 10.20 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Requests for hearings

2. **The Chairman** drew attention to the requests for hearings contained in aides-memoires 07/08, 08/08 and 09/08 relating to the questions of Western Sahara, Guam and the United States Virgin Islands, respectively. He took it that the Committee wished to accede to those requests.

3. *It was so decided.*

Question of Western Sahara (A/AC.109/2008/14)

4. **The Chairman** drew attention to the working paper on Western Sahara prepared by the Secretariat (A/AC.109/2008/14).

5. **Mr. Malmierca Díaz** (Cuba), after recalling that the people of Western Sahara had been denied their inalienable right to self-determination for more than three decades said that since Security Council resolution 1754 (2007) had been adopted, the parties had carried out four rounds of talks. He hoped that efforts would continue to be made to reach a solution in line with the principles and purposes of the United Nations Charter and General Assembly resolution 1514 (XV).

6. The people of Western Sahara needed the support of the international community. Cuba, despite its modest resources, had contributed resources to the self-development of Western Sahara, especially in the area of education; currently some 600 Western Saharans were studying within the Cuban education system.

7. **Mr. Palavicini-Guédez** (Venezuela) said that Venezuela fully supported Western Sahara in its desire to achieve independence. The natural rights of the Western Saharan people must be fulfilled as quickly and peacefully as possible.

Hearing of petitioners

8. *At the invitation of the Chairperson, Mr. Boukhari (Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO)) took a place at the petitioners' table.*

9. **Mr. Boukhari** (Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO)) said that for the past 20 years, Morocco had sabotaged all United Nations efforts to achieve the decolonization of Western Sahara, including the Settlement Plan, the Houston Agreements and the Baker Plan. It was now attempting to elude the commitments it had made before the Special Committee for its proposal was an attempt to legitimize the illegal occupation of Western Sahara through a so-called "autonomy" within the framework of its claim to sovereignty over the territory. Morocco had no sovereignty over Western Sahara, and was occupying it illegally. Western Sahara was a Non-Self-Governing Territory; its future must be determined by its people.

10. The Frente POLISARIO had submitted a proposal of its own, which reiterated the necessity of holding a referendum, thereby giving the people of Western Sahara an opportunity to choose among the options endorsed by the United Nations, including independence, integration and territorial autonomy. If the referendum led to independence, the Frente POLISARIO was prepared to negotiate strategic relations between the two countries, including in the areas of economics, security and trade.

11. Pursuant to Security Council resolution 1754 (2007), which called upon the parties to enter into negotiations in good faith and without preconditions, Frente POLISARIO and the Moroccan Government had held four rounds of talks in the period from June 2007 to April 2008. Throughout the negotiations, the Frente POLISARIO had expressed its willingness to discuss both parties' proposals in depth. However, Morocco had refused to discuss the Saharan proposal, thereby thwarting any efforts to initiate the proceedings of a pacific solution.

12. Security Council resolution 1813 (2008) and the Secretary-General's report on the situation concerning Western Sahara (S/2008/251) reaffirmed the United Nations commitment to the negotiations process and, in so doing, rejected several startling ideas put forward by the Secretary-General's Personal Envoy, such as the fact that international legality should take account of what he called the "political reality", a euphemism for Morocco's illegal occupation. In light of the Personal Envoy's apparent renunciation of the principle of impartiality, a crucial quality for any facilitator or mediator, the Frente POLISARIO considered him unfit

to facilitate the negotiating process. Western Sahara would continue to assert its legitimate claims by peaceful means, through a serious, honest negotiations process based on international legality. The people of Western Sahara must be allowed to freely decide their own future.

13. *Mr. Boukhari withdrew.*

Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands (A/AC.109/2008/2-4, 6, 7, 10-12 and 15-17; A/AC.109/2008/L.9)

14. **The Chairman** drew attention to the working papers on the 11 Non-Self-Governing Territories prepared by the Secretariat (A/AC.109/2008/2-4, 6, 7, 10-12 and 15-17).

Question of Guam

Hearing of petitioners

15. The very survival of the Chamorro was at stake. Not only was military contamination of every kind impacting on their livelihoods, but they were being dispossessed of their lands and their political and cultural identity was being jeopardized. The military build-up violated the administering Power's "sacred trust obligation" under Article 73 of the Charter to ensure their advancement. Moreover, the people had no recourse. Under a law passed unilaterally by the United States Congress, they had citizenship without political representation and could not vote for the one person who held the fate of the island in his hands, namely, the United States President.

16. She demanded that the Special Committee put an end to its policy of "colonial accommodation" and called on members to give top priority to the right to self-determination of the Chamorro; to identify, in collaboration with the United Nations Permanent Forum on Indigenous Issues, deficiencies in the current decolonization regime; to denounce the military build-up as a violation of the administering Power's obligation to safeguard the human right to self-determination of the Chamorro people; to improve the coordination of United Nations system action in support of decolonization and to provide corrective measures against the impacts of colonization and militarization.

17. *At the invitation of the Chairperson, Ms. Tressa Diaz took a place at the petitioners' table.*

18. **Ms. Tressa Diaz** said that the working paper on Guam (A/AC.109/2008/15) failed to note that the intensified militarization of Guam planned by the administering power, was in violation of the Charter of the United Nations and the relevant United Nations resolutions. Moreover, it did not provide a complete picture of the economic, social and environmental crisis resulting from the presence of the United States, whose interests were being allowed to block any possibility of self-determination for the indigenous people.

19. The planned military build-up took no account of the wishes of the Chamorro people; it would transform the island into a forward base for the United States armed forces and would radically alter its demography. One high-level military official had even stated that United States personnel had a constitutional right to participate in local elections, which reflected sadly on United States attitudes towards Chamorro self-determination. Such attitudes went hand in hand with aggressive moves by the local Chamber of Commerce, largely dominated by United States interests, to privatize Guam's natural and economic resources.

20. *Ms. Tressa Diaz withdrew.*

Question of the United States Virgin Islands

Hearing of petitioners

21. *At the invitation of the Chairperson, Ms. Chin took a place at the petitioners' table.*

22. **Ms. Chin**, speaking on behalf of the United Nations Association of the Virgin Islands and in the name of its President, Ms. Judith Bourne, expressed regret that the Association, which had until 2006 been a regular participant in relevant regional seminars, had been left out of the group of NGOs invited to attend those meetings. She hoped that it was merely an oversight and that the omission would be made good in 2009.

23. Deploring the lack of any real progress in the fulfilment of the decolonization mandate, she said that it was due, in part, to the inaction of the United Nations system. For example, the resolution on dissemination of information on decolonization, which the Special Committee had recently adopted, referred in positive terms to a leaflet on relevant United Nations

agencies. That leaflet merely contained some web addresses. The Department of Public Information could not even say whether the information it put out actually reached the territories or whether United Nations Information Centres were mandated to service them. Clearly there was a disconnect between what the United Nations system purported to do and what it actually did.

24. The people of the United States Virgin Islands had virtually no knowledge of the political status options available to them, even though numerous resolutions adopted by the Committee referred to the need in awareness-raising programmes. The Committee seemed powerless to enforce its decisions within the Secretariat. The general belief seemed to be that the United States Virgin Islands were part of the United States and that their concerns were a purely domestic matter. She wondered whether the Committee proposed to do anything to disabuse people of that belief, given that it had even referred to the Territory's ongoing Constitutional Convention in the context of progress towards self-determination whereas, in fact, the scope of that instrument was limited by United States law to the current colonial relationship.

25. If the Committee could not demand follow-up on the valuable activities included in its annual resolutions, it would seem to have turned aside from its stated purpose. She wondered about the outcome of the various analyses and plans approved for and by the Committee, including the proposed establishment of a working group on small territories. Was it the new purpose of the Committee to legitimize existing colonial arrangements as an acceptable form of self-government?

26. She hoped that the conclusions of the expert seminar on decolonization announced by the Permanent Forum on Indigenous Issues at its seventh session would provide the Committee with much-needed information on the dynamics of contemporary colonial arrangements. Lastly, she appealed to the Committee to demand that the United Nations system comply with its directives on decolonization.

27. *Ms. Chin withdrew.*

Draft resolution A/AC.109/2008/L.9

28. **The Chairperson** drew attention to draft resolution A/AC.109/2008/L.9 adding that, if he heard no objection, he would take it that the Committee wished to waive rule 120 of the rules of procedure of the General Assembly — concerning the 24-hour rule — so that it could take a decision on the draft resolution.

29. *It was so decided.*

30. *Draft resolution A/AC.109/2008/L.9 was adopted.*

The meeting rose at 11.15 a.m.